

1 The. Hon. Thomas Zilly
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, SEATTLE

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OMNI INNOVATIONS, LLC, a
Washington Limited Liability
company; EMILY ABBEY, an
individual,

Plaintiffs,

v.

ASCENTIVE, LLC, a Delaware
limited liability company; ADAM
SCHRAN, individually and as part of
his marital community; JOHN DOES,
I-X,

Defendants,

James S. Gordon, Jr. declares as follows:

NO. 06-01284

DECLARATION OF JAMES S.
GORDON, JR. IN REPLY RE
MOTION TO DISQUALIFY
COUNSEL

- 1) I, James S. Gordon, Jr., am the principal member and owner of Omni Innovations, LLC ("Omni") the Plaintiff in the above captioned lawsuit. I am over the age of 18 and am otherwise competent to testify.
- 2) As I stated in my initial declaration, in 2000, I retained the legal services of Floyd E. Ivey to assist me in drafting contracts for Omni among other matters. Mr. Ivey's firm invoiced me, and I paid them. After searching through some of

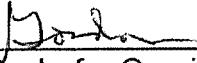
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DECLARATION OF JAMES S. GORDON, JR.
IN REPLY RE MOTION TO DISQUALIFY DEFENDANTS'
COUNSEL

MERKLE SIEGEL & FRIEDRICHSEN
1325 Fourth Ave., Suite 940
Seattle, WA 98101
Phone: 206-624-9392
Fax: 206-624-0717

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1 my old records, I have recently found two of the billings for that period. (See
2 billing from Mr. Ivey's firm attached hereto as Exhibit "A").

3 I declare under penalty of perjury under the laws of the State of Washington and of
4 the United States that the foregoing is true and correct. Signed this 31st day of
5 October, 2006

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7 James S. Gordon, Jr. for Omni Innovations, LLC
as its owner and managing member.

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2 CERTIFICATE OF SERVICE
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4 I hereby certify that on November 1, 2006, I electronically filed the
5 foregoing with the Clerk of the Court using the CM/ECF system, which will send
6 notification of such filing to the following: Floyd E. Ivey,
7

8 Adana Lloyd
9

10 MERKLE, SIEGEL, & FRIEDRICHSEN, P.C.
11

12 DATE: NOVEMBER 1, 2006
13

14 BY: 
15 ADANA LLOYD
16

17 1325 FOURTH AVENUE, SUITE 940
18 SEATTLE, WA 98101
19 TELEPHONE: 206.624.9392
20 FAX: 206.624.0717
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26 DECLARATION OF JAMES S. GORDON, JR.
27 IN REPLY RE MOTION TO DISQUALIFY DEFENDANTS'
28 COUNSEL

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